

PLANNING AND ZONING COMMISSION
Public Hearing #1453 - Regular Meeting May 10, 2005

TOWN OF EAST WINDSOR
Planning and Zoning Commission

Public Hearing #1453
May 10, 2005

Draft Document - Subject to Commission Approval

The meeting was called to order at 7:31 P. M. by Vice Chairman Filipone in the Meeting Room of the Town Hall, 11 Rye Street, Broad Brook, CT.

ESTABLISHMENT OF QUORUM:

A quorum was established as three Regular Members (Filipone, Gowdy, and Saunders) and three Alternate Members (Kehoe, Ouellette, and Tyler) were present. Regular Members Guiliano and Rodrigue were absent. Vice Chairman Filipone noted Alternate Commissioners Tyler and Ouellette will sit in on any new hearings/applications this evening. Also present was Town Planner Whitten.

ADDED AGENDA ITEMS: None.

RECEIPT OF APPLICATIONS:

Vice Chairman Filipone noted receipt of the following Applications:

- 1) Application of Timothy Richard for Site Plan Approval for landscaping and gardening contractor yard at 46 Newberry Road. [M-1 Zone; Map 15, Block 9, Lot 3].
- 2) Application of Plantation Properties, LLC for a Zone Change from A-1 to M-1 for a 0.7 acre portion of property located at 47 Plantation Road. [Map 40, Block 49, Lot 7A].
- 3) Application of BT Properties, LLC for Site Plan Approval to allow the construction of a 10,112 square foot commercial building with associated parking and storage for Beebe Landscaping business, for property located at Newberry and Winkler Roads, owned by George W. Bardaglio. [M-1 Zone; Map 15, Block 19, Lot 15].

LEGAL NOTICE:

The following Legal Notice, which appeared in the Journal Inquirer on Thursday, April 28, 2005 and Thursday, May 5, 2005, was read by Secretary Saunders:

1. Application of LTP Realty, Inc. c/o Joseph P. Capossela, Esq., for a 2-lot resubdivision of property located on the north side of Newberry Road at the intersection of Winkler Road. [A-1 Zone; Map 15, Block 17, Lots 19, 20, & 21].
2. Application of LTP Realty, Inc. c/o Joseph P. Capossela, Esq., for a Special Use Permit for active adult housing to be located on the north side of Newberry Road at the intersection of Winkler Road (Newberry Village). [A-1 Zone; Map 15, Block 17, Lots 19, 20, & 21].
3. Application of Rya Corporation for a 9-lot resubdivision and Special Use Permit for one rear lot, located on East Road (Hemlock Court, Phase II), owned by Louis C. Meyers [R-3 Zone, Map 10, Block 77, Lot 5].

OLD BUSINESS: Zuvic Associates - Site Plan Approval to install access road and contractor's storage yard for the stockpiling of gravel and soil for property located on the west side of Wapping Road, owned by Mitchell Property Group & Scott Mitchell. [M-1 Zone; Map 41, Block 65, Lot 32]. (Deadline for decision 6/16/05):

Town Planner Whitten advised the Commission this item has been requested to be tabled until the next meeting; she noted receipt of letter dated 5/9/2005 from Attorney Gerlt. Commissioner Gowdy READ THE LETTER FOR THE RECORD.

MOTION: To TABLE the Application of Zuvic Associates for Site Plan Approval to install access road and contractor's storage yard for the stockpiling of gravel and soil for property located on the west side of Wapping Road, owned by Mitchell Property Group & Scott Mitchell. [M-1 Zone; Map 41, Block 65, Lot 32] until the Commission's next regularly scheduled meeting on May 24, 2005 at 7:30 P. M. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

Gowdy moved/Saunders seconded/VOTE: In Favor: Unanimous

NEW HEARINGS: LTP Realty, Inc. c/o Joseph P. Capossela, Esquire - 2-lot resubdivision of property located on the north side of Newberry Road at the intersection of Winkler Road. [A-1 Zone; Map 15, Block 17, Lots 19, 20 & 21]. (Deadline to close hearing 6/14/05), AND, NEW HEARINGS: LTP Realty, Inc. c/o Joseph P. Capossela, Esquire - Special Use Permit for active adult housing to be located on the north side of Newberry Road at the intersection of Winkler Road (Newberry Village). [A-1 Zone; Map 15, Block 17, Lots 19, 20, & 21] (Deadline to close hearing 6/14/05):

Vice Chairman Filipone read the Hearing descriptions. Appearing to discuss these Applications was Attorney Capossela, representing the Applicant, LTP Realty, Inc.; Attorney Antoinette Webster was available in the audience; Jay Ussery and Tim Koons of J. R. Russo & Associates, Inc. Attorney Capossela concurred that the Commission could hear both Applications in a single presentation.

Attorney Capossela also noted they are presenting a new map tonight but the Commission already has this information in the previous submittal. He advised the Commission they are seeking a resubdivision because they are proposing to subdivide the 135 acre parcel into two parcels, one containing 117.45 acres where they are hoping to build Newberry Village, and the second containing 18.03 acres which is a parcel to be dealt with at a later date. Attorney Capossela suggested they have no plans for the second parcel now as it contains a significant amount of wetlands and doesn't appear to be conducive to development along Winkler Road. Attorney Capossela indicated they are seeking approval of Newberry Village (Lot A) which will contain 92 single family units of active adult housing; the site is across the street from Scorpion Fasteners (the owner of which spoke in favor of this proposal at the Wetlands Hearing). Lot B is the 18.03 acre parcel.

Attorney Capossela advised the Commission the plan they are discussing this evening is not the plan the Commission received in their packet, as Town Planner Whitten had asked for a cleaner map. They have been working on this proposal for 3+ years; they originally took the parcel through a zone change from M-1 to residential, with the expectation of doing just what they are doing as shown on this plan. The reason from changing from manufacturing to residential was the wetlands; the site is 65% wetlands and contains many vernal pools, etc.

With regard to the subdivision Attorney Capossela noted the larger parcel has frontage on Newberry Road and is conducive to the proposed use. The 18 acre parcel is not conducive to this use and also doesn't have the same utilities as the larger parcel. It the expectation that it will be a 2 to 5 lot subdivision down the road.

Attorney Capossela noted that open space may be required but they are asking that it not be required as they will be restricting 89 acres for a dedicated Conservation Easement. That area is wet and is not developable, and creates a buffer to the residential area to the north. The dedication will be coming through as part of the Special Permit Application. Commissioner

NEW HEARINGS: LTP Realty, Inc. c/o Joseph P. Capossela, Esquire - 2-lot resubdivision of property located on the north side of Newberry Road at the intersection of Winkler Road. [A-1

Zone; Map 15, Block 17, Lots 19, 20 & 21]. (Deadline to close hearing 6/14/05), AND, NEW HEARINGS: LTP Realty, Inc. c/o Joseph P. Capossela, Esquire - Special Use Permit for active adult housing to be located on the north side of Newberry Road at the intersection of Winkler Road (Newberry Village). [A-1 Zone; Map 15, Block 17, Lots 19, 20, & 21] (Deadline to close hearing 6/14/05) (continued):

Gowdy questioned if the same would be expected for the 18 acre parcel? Attorney Capossela felt the 89 acres should be satisfying the Open Space requirements, which are discretionary.

Attorney Capossela suggested that the Zone Change from M-1 to A-1 enacted on 9/2002 paved the way for this Application. Active Adult Housing (AAH) is a permitted use in an A-1 Zone; the Wetlands Commission approved this Application in 11/2004.

Referencing the drawing Attorney Capossela noted they originally had the roads connecting the smaller section to the larger section of the AAH. An environmental report (ERT) was done by REMA Environmental; the road was eliminated because the Inland/Wetlands Commission felt it was crossing a sensitive corridor. The Wetlands Commission approved three phases and denied Phase IV with comments for them to polish up the plan. Originally approximately a 106 unit proposal was submitted to the Wetlands Commission; they are now proposing the 92 unit concept without the road connection.

Jay Ussery, of J. R. Russo & Associates referenced the plan, noting this is a 135 acre parcel, of which 89 acres are going into a Conservation Easement. The complex includes 4,100 linear feet of roadway within the four phases, which includes the smaller (disconnected) piece. Sewer and city water are available to the site; the gas main would be extended down Newberry Road to serve this site. The units are single and duplex two bedroom units. Attorney Capossela noted that some units have basements; others don't. The reason is the topography and the wetlands on the site. There are 92 units within 62 buildings; none of the buildings have more than three units. Mr. Ussery indicated about 30 units are duplex.

Mr. Ussery suggested the architectural design is a colonial village concept with the Broad Brood/East Windsor village look with peaked roofs and multiple roof lines. All are single story although some buildings show windows which appear to be on a second story, but that's only for aesthetics. The units contain a master suite, second bedroom, kitchen, dining room, living room, and laundry room; all units have an enclosed screened-in porch of slightly over 100 square feet. There are no decks. Vice Chairman Filipone questioned if people walk in front at grade level and the porch is under that? Mr. Ussery replied negatively, noting everything is on the main level. He indicated that the units contain 1,600 square feet of gross living area without the garage and porch; the one car units contain 1,300 square feet of gross living area and 35 square feet of storage/mechanical area. Vice Chairman Filipone questioned that there would be no detached storage sheds? Town Planner Whitten noted they are not

NEW HEARINGS: LTP Realty, Inc. c/o Joseph P. Capossela, Esquire - 2-lot resubdivision of property located on the north side of Newberry Road at the intersection of Winkler Road. [A-1 Zone; Map 15, Block 17, Lots 19, 20 & 21]. (Deadline to close hearing 6/14/05), AND, NEW HEARINGS: LTP Realty, Inc. c/o Joseph P. Capossela, Esquire - Special Use Permit for active

adult housing to be located on the north side of Newberry Road at the intersection of Winkler Road (Newberry Village). [A-1 Zone; Map 15, Block 17, Lots 19, 20, & 21] (Deadline to close hearing 6/14/05) (continued):

permitted. Discussion followed regarding the required amount of storage area; it was determined that there is over 24 square feet of storage area, not including the storage area on the front of the garage wall. Commissioner Gowdy questioned if there is any storage proposed over the garage? Mr. Ussery replied negatively. Commissioner Gowdy suggested if they had a pull-down stairs they could have more storage.

Mr. Ussery noted that with the duplex units the garages are in the center; they contain 1,300 square feet plus the 100' screened-in porch on the back. Attorney Capossela noted they heard people talk about mosquitoes at the Wetlands Hearing so they proposed the screened-in porches. Town Planner Whitten suggested that was a nice feature in that environment.

Mr. Ussery noted there is an extensive landscaping plan proposed for this development, which incorporates recommendations from the REMA report regarding wetlands plantings and buffer plantings. They are also creating more pond areas and drainage basins which will turn into wetlands areas; they are not retention basins. The plantings include upland buffer plantings, wetlands restoration plantings, and water quality plantings. Attorney Capossela read some of the conditions from the Wetlands Permit. Town Planner Whitten noted the Wetlands Commission approved the final phase in March, 2005, and approved the first three phases in November, 2004.

Commissioner Tyler cited concern that the longer cul-de-sacs don't have turn around areas and may be difficult for emergency vehicles to use. Mr. Ussery noted the 24' road is designed for a truck to pull into a driveway and turn around. Commissioner Tyler suggested they might not want to do that in an emergency situation, and the driveways could have the residents cars in them blocking the access. He felt that at least somewhere there should be a turnaround for emergency vehicles. Mr. Koon suggested the cul-de-sacs have been designed with hammerheads. Commissioner Tyler noted he has been in that situation; the trucks are 50' long; they need somewhere to turn around. He suggested he was not saying you need cul-de-sacs but you need some place to turn around without driving up close to the unit. Attorney Capossela noted there are hydrants within the complex. Mr. Ussery suggested the driveway is 60' long and the road is 24' wide. Commissioner Tyler suggested they would need to pull up within 10' of the building before making a turn; he would rather see them extend the road a bit and have a way for someone to turn around into the hammerhead. Mr. Ussery suggested the wetlands is the issue.

NEW HEARINGS: LTP Realty, Inc. c/o Joseph P. Capossela, Esquire - 2-lot resubdivision of property located on the north side of Newberry Road at the intersection of Winkler Road. [A-1 Zone; Map 15, Block 17, Lots 19, 20 & 21]. (Deadline to close hearing 6/14/05), AND, NEW HEARINGS: LTP Realty, Inc. c/o Joseph P. Capossela, Esquire - Special Use Permit for active adult housing to be located on the north side of Newborn Road at the intersection of Winkler

Road (Newberry Village). [A-1 Zone; Map 15, Block 17, Lots 19, 20, & 21] (Deadline to close hearing 6/14/05) (continued):

Commissioner Gowdy questioned where the access comes in off the road, is that a 24' road or a shared driveway? Mr. Ussery noted it is a shared driveway. Mr. Koons noted there are several instances of shared driveways. Commissioner Ouellette questioned if unit #9 could be moved more to the south? Mr. Ussery noted there is an issue of setback between the units. Commissioner Ouellette questioned if they could move all the units to the south? Mr. Ussery noted then you would be involved in a wetlands issue. He suggested the stub might be extended slightly but he didn't know if that would help; he can't put another stub on the other side of the road.

Vice Chairman Filipone requested the Fire Marshal provide comments on this Application.

Attorney Capossela questioned if they start tweaking the hammerheads do they have to go back to the Wetlands Commission? Town Planner Whitten suggested it depends on how much you tweak the plans.

Vice Chairman Filipone questioned if these would be town roads, or private? Attorney Capossela suggested this would be a common-interest community; the roads would be private.

Mr. Ussery noted they are proposing foundation plantings, street trees, and site trees.

Attorney Capossela noted that before he became involved in this project there had been discussions with the Water Pollution Control Authority (WPCA); they would like to eliminate the pump station and bring the sewer line down the road. Mr. Ussery noted that the Prospect Hill subdivision has an antiquated pump station which they would like to eliminate; they are creating gravity trunk lines into this site and would flow back to Newberry Road, and the pump station located on Newberry Road. Attorney Capossela noted that any Conservation Easement given will allow for the installation of sewer trunk lines if the Town chooses to do it. Mr. Ussery noted there would be allowances for this in the street but it wouldn't be a defined easement, but there would be language included which would allow it. Town Planner Whitten noted this is part of the Wetlands Permit; she READ SAME FOR THE RECORD. Attorney Capossela noted the Applicant has agreed to grant the easement without compensation for it.

Mr. Ussery noted they are proposing traditional street lighting, and sidewalks within the development. He also noted they are working with the Inland/Wetlands Commission to

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preserve specific species of trees. Attorney Capossela noted they have eliminated walking trails and now have sidewalks; they would like the Commission to say that's ok. The Commissioners questioned if the sidewalks could be connected within the two segments of the development to keep people off the road?

Mr. Ussery noted that at the request of the Post Master they are providing individual mailboxes at each unit as they felt some of the people might not be as mobile as others. Trash will be roadside pickup. Commissioner Gowdy questioned if all ADA requirements have been met. Attorney Capossela indicated they will be met; it's a building code issue and at the time of construction they will comply. Commissioner Tyler questioned if the trash will be picked up at the end of each unit road? Mr. Ussery replied negatively, noting people must bring it to the end of the loop road. Commissioner Tyler felt that didn't make sense, as there would be 8 families stacking trash at the end of the road. Commissioner Gowdy felt he would rather see 8 containers at the end of the road than have someone try to back up into the smaller road.

Commissioner Ouellette questioned what were the sight distances? Mr. Ussery and Attorney Capossela suggested there are no sightline issues on Winkler. Commissioner Ouellette suggested it isn't pedestrian friendly between Phases III and IV; is there any way to make the sidewalks on Newberry road or maybe constructing something between units #5 and #7? Mr. Ussery suggested there is currently a farm road there that does tie into this; that's where they proposed the walking trail but the Inland/Wetlands Commission didn't like it. He suggested he wouldn't be surprised to see it become a walking trail anyway.

Commissioner Gowdy noted that people will be moving in as phases are finished, will you have temporary cul-de-sacs and will they be noted on the plans? Mr. Ussery and Mr. Koon replied affirmatively.

Vice Chairman Filipone questioned if they planned to make any notes on the plans regarding the proximity of the airport and the trolley museum? Attorney Capossela suggested he will investigate the language.

MOTION: To TAKE A FIVE MINUTE BREAK.

Gowdy moved/Saunders seconded/VOTE: In Favor: Unanimous

The Commission RECESSED at 8:45 P. M. and RECONVENED at 8:55 P. M.

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Attorney Capossela suggested they will add notes to the condo documents regarding the airport. He also suggested that the existing trail could satisfy the walking trail, and would be preferable to the Applicant because Newberry Road may be a wetlands issue.

Mr. Koon indicated they are picking up drainage with cape cod curbs which will go into catch basins with sumps, which will then discharge into 5 stormwater management basins. Soft drainage will use roadside swales. The drainage system has been approved by Town Engineer Norton and Chris Stone of the DEP with regard to the ERT study. Vice Chairman Filipone noted the Commission had not received any notification from Town Engineer Norton. Attorney Capossela noted Town Engineer Norton's comments are not a problem; they have not yet made the changes as they will do them in one shot. The number of units have been corrected on the plans; the names of the streets have been changed.

Attorney Capossela suggested the Commission has lengthy criteria in the Regulations; he felt they have met them. He felt this is the right place for this type of development; it blends in even though there are some commercial developments in the area. He also noted this site would not be good for manufacturing, and there is a need for AAH. With regard to the comments about the units being ADA, all units will be ADA compliant. Your Regulations require that condominium documents be on file, notes will be added regarding the airport issue. Attorney Capossela noted the Commission has discussed sidewalks vs. a walking trail, he noted they are dedicating 88.95 acres and the Conservation Easement is 7% of the land; he suggested they could deed that to the Town. He also noted that they have shown the location of proposed signage, but would work out the details with staff, or they could return to the Commission.

Attorney Capossela asked if the Commission could consider the issue of the resubdivision this evening? Town Planner Whitten felt the Open Space allocation was an issue. Commissioner Gowdy cited he has a concern with the 18 acre parcel, which will probably be built up as single family homes; he didn't feel the Town wants land is not sure it should be included for the whole Open Space allocation. The Commission determined they would consider voting at the next meeting.

Vice Chairman Filipone opened discussion to the audience; no one requested to speak.

NEW HEARINGS: LTP Realty, Inc. c/o Joseph P. Capossela, Esquire - 2-lot resubdivision of property located on the north side of Newberry Road at the intersection of Winkler Road. [A-1 Zone; Map 15, Block 17, Lots 19, 20 & 21]. (Deadline to close hearing 6/14/05), AND, NEW HEARINGS: LTP Realty, Inc. c/o Joseph P. Capossela, Esquire - Special Use Permit for active adult housing to be located on the north side of Newberry Road at the intersection of Winkler Road (Newberry Village). [A-1 Zone; Map 15, Block 17, Lots 19, 20, & 21] (Deadline to close hearing 6/14/05) (continued):

Vice Chairman Filipone suggested the Commission would not close the Hearing this evening; Town Planner Whitten suggested she would recommend the Commission continue this Hearing until the May 24th Work Session.

MOTION: To CONTINUE the Public Hearings on the Applications of LTP Realty, Inc. c/o Joseph P. Capossela, Esquire for a 2-lot resubdivision of property located on the north side of Newberry Road at the intersection of Winkler Road. [A-1 Zone; Map 15, Block 17, Lots 19, 20 & 21], AND, LTP Realty, Inc. c/o Joseph P. Capossela, Esquire - Special Use Permit for active adult housing to be located on the north side of Newberry Road at the intersection of Winkler Road (Newberry Village). [A-1 Zone; Map 15, Block 17, Lots 19, 20, & 21] until the Commission's regularly scheduled meeting on May 24, 2005 at 7:30 P. M. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, Connecticut.

Gowdy moved/Saunders seconded/VOTE: In Favor: Unanimous

NEW HEARINGS: Rya Corporation - 9-lot resubdivision and Special Use Permit for one rear lot, located on East Road (Hemlock Court, Phase II), owned by Louis C. Meyers [R-3 Zone; Map 10, Block 77, Lot 5] (Deadline to close hearing 6/14/05):

Vice Chairman Filipone read the Hearing description. Appearing to discuss this Application was Eric Wagner and Russell Heintz, of Greg Blessing, P. E, and Associates; and Warner Kunzli.

Mr. Wagner reported this proposal is for Phase II of Hemlock Court; Phase I is nearly completed and there is an on-going gravel operation behind the subdivision. They are asking for a waiver for sidewalks, and to use the same pipe that was used in Phase I instead of concrete pipe. Mr. Wagner reported they are submitting revised plans this evening. He also submitted a copy of a letter from the North Central Health District (NCHD) indicating they are ok with this design. With regard to Town Planner Whitten's comments, they have fixed the building line for the rear lot, and have now added the bulk tables showing the front yards, etc. to the plans.

NEW HEARINGS: Rya Corporation - 9-lot resubdivision and Special Use Permit for one rear lot, located on East Road (Hemlock Court, Phase II), owned by Louis C. Meyers [R-3 Zone; Map 10, Block 77, Lot 5] (Deadline to close hearing 6/14/05) (continued):

Mr. Wagner referenced Town Engineer Norton's comments, noting they will move East Road for a better sight line. He has showed Town Engineer Norton a best case scenario, which he is in agreement with; they can shorten the snow shelf and move the road over a bit to reduce the grade. Mr. Wagner noted they are proposing a retention area, which was approved by the Inland/Wetlands Commission. Town Engineer Norton wanted routing calculations, which will be given to him next week. The retention area has been designed for zero increase for a 100 year storm. Mr. Wagner also noted they will be putting in a temporary cul-de-sac at the end of Hemlock Court.

Commissioner Gowdy questioned that they would be taking East Road and moving it to the east? Mr. Wagner suggested they will do a gradual transition; they can shift it over a couple of feet and reduce the slope from 2:1 to 3:1, and also reduce the snow shelf. Commissioner Gowdy

questioned the distance of the sight line? Mr. Wagner suggested it's 600' in one direction and 400' in the other. Mr. Heintz noted that when you come up towards Herb's entrance the dip will be filled in and they will knock off the knoll to the entrance so you will be able to see all the way to Herb's entrance. He felt you should be able to see down to the Brookside Crossing entrance. Commissioner Ouellette questioned if the road would be shifted prior to construction as the trucks will be going in and out of Herb's entrance, or will they access at a different place? Mr. Heinz reported they can ask to do that, and they have access through Hemlock Court, Phase I. Vice Chairman Filipone felt they had addressed all of Town Planner Norton's comments.

Commissioner Gowdy questioned if the street lights would be the same as the other phase? Mr. Wagner replied affirmatively. Commissioner Gowdy questioned what type of curbing is being used. Mr. Wagner replied Cape Cod; Mr. Kunzli noted there is no curbing now but they are asking to use Cape Cod.

Commissioner Gowdy questioned if they had received an easement from CL&P? Mr. Heinz reported that would be done after development.

Town Planner Whitten noted the referrals are pending from the Town of Ellington and CROCOG to comply with Statutory requirements; this development is being proposed within 500' of the Town line.

Vice Chairman Filipone questioned if excavation is going on in the back? Mr. Wagner replied affirmatively. Vice Chairman Filipone questioned how they would exit? Mr. Wagner replied they would continue to use Hemlock Drive. Mr. Kunzli noted they will wait to put the final coat of bituminous on when they are done, which may be another six months. Mr. Heintz suggested they are really reclaiming the site; there are huge stockpiles of soils to be delivered.

NEW HEARINGS: Rya Corporation - 9-lot resubdivision and Special Use Permit for one rear lot, located on East Road (Hemlock Court, Phase II), owned by Louis C. Meyers [R-3 Zone; Map 10, Block 77, Lot 5] (Deadline to close hearing 6/14/05) (continued):

Town Planner Whitten questioned if they anticipated bringing the road all the way around to do a Phase III? Mr. Heintz reported it depends on the soil tests.

MOTION: To TABLE the Application of Rya Corporation for a 9-lot resubdivision and Special Use Permit for one rear lot, located on East Road (Hemlock Court, Phase II), owned by Louis C. Meyers [R-3 Zone; Map 10, Block 77, Lot 5] until the Commission's regularly scheduled meeting on June 14, 2005 at 7:30 P. M. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, Connecticut.

Gowdy moved/Ouellette seconded/VOTE: In Favor: Unanimous.

BUSINESS MEETING/(1) Correspondence:

Vice Chairman Filipone noted Zoning Enforcement Officer (ZEO) Rudek has been sending out correspondence on violations.

Vice Chairman Filipone questioned the status on the question of the ZEO being fined if her decision is challenged? Town Planner Whitten noted she is following up with the Town Attorney.

BUSINESS MEETING/(2) Staff Reports:

* Town Planner Whitten noted Paul Benson, who has developed Pascoe's Commons, would like to change one unit from an apartment over a business to a business over a business. She noted most of the units are being used as apartments over the businesses, but she didn't know if the Commission set a minimum/maximum percentage. Commissioner Tyler felt the concept of the development was that people would be able to live over their business, not a two story office building. He felt the Commission should stay with that concept unless he came in with a proposal to change the concept. Town Planner Whitten noted she has requested an as-built from Mr. Benson with the actual business vs. apartments count; all appear to be residences over businesses but he would like to make a rear unit an office over an office because he has a tenant who would like the whole building. Commissioner Gowdy agreed with Commissioner Tyler; the rest of the Commission concurred.

BUSINESS MEETING/(2) Staff Reports (continued):

* Regarding the survey of the Active Adult Housing cap Town Planner Whitten noted she did go out to the planners list on the server, but the e-mail has been down for a month and she has not been able to do the study.

MOTION: TO HAVE THE COMMISSION PROPOSE A TEXT AMENDMENT TO ELIMINATE THE CAP ON THE ACTIVE ADULT HOUSING UNITS PROPOSED FOR EAST WINDSOR.

Gowdy moved/Tyler seconded/

VOTE: In Favor: Gowdy/Ouellette/Tyler
Opposed: No one
Abstained: Filipone/Saunders

Town Planner Whitten questioned if the Commission would like anything added to the text change? Vice Chairman Filipone suggested he liked the idea of having a percentage of the units be required to be affordable.

* Town Planner Whitten reported she had a discussion with Kevin Leslie of the Water Pollution Control Authority about the sewer avoidance area. Mr. Leslie

sugggested if someone wants to hook up they will do it, and it's up to the PZC to deal with the issue.

APPROVAL OF MINUTES:

Approval postponed until the next meeting.

SIGNING OF MYLARS/PLANS: None.

ADJOURNMENT:

MOTION: To ADJOURN this meeting at 10:26 P. M.

Gowdy moved/Saunders seconded/VOTE: In Favor: Unanimous